REMARKS

It is noted that receipt of the Japanese priority document is found in the Notice of Acceptance but no acknowledgment of the claim to priority is present. Formal acknowledgement of the claim is respectfully requested.

Reconsideration of the species requirement is respectfully requested. By definition, all species will be different from one another. However, since all of the species claims are in dependent form, and the independent claims have been rejected on formal grounds only, it is readily apparent that there is a special technical feature which all of the claims contain, namely the features of the independent claims.

Reasons for withdrawal of the species requirement were set forth in the amendment filed 12 February 2010 at page 34, which is incorporated herein by reference. The Examiner is respectfully requested to reconsider those reasons in light of the fact that there is a special technical feature common to all claims.

On further review, it has been noted that claim 40 is generic to species A, B, and C. The failure to so state is regretted.

It is respectfully pointed out that claims 21 and 48 were identified as members of subspecies vi. Accordingly, those claims should not be withdrawn from consideration but instead should be a member of the claims under examination.

The withdrawn claims have been retained in this case for rejoinder when the examined claims are allowed.

It is respectfully submitted that the rejection of claims 1, 3-9, 19, 40-42 and 46 (and presumably claims 21 and 48) under 35 USC § 112, second paragraph, can be withdrawn in light of the foregoing amendments which provide increased clarity, but do not change the scope of those claims.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: August 25, 2010   Respectfully submitted,

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